

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CREE, INC.,

Plaintiff,

v.

SEMILEDS CORPORATION, HELIOS
CREW CORP., and SEMILEDS
OPTOELECTRONICS CO.,

Defendants.

C.A. No. 10-866-PSD

**REDACTED
PUBLIC VERSION**

**SUPPLEMENTAL DECLARATION OF HEATH A. BROOKS IN SUPPORT OF
CREE, INC.'S REBUTTAL CLAIM CONSTRUCTION BRIEF**

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Attorneys for Plaintiff Cree, Inc.

Dated: August 26, 2011

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CREE, INC.,	§	
Plaintiff,	§	
v.	§	C.A. No. 10-866-PSD
SEMILEDS CORPORATION, HELIOS	§	
CREW CORP., and SEMILEDS	§	
OPTOELECTRONICS CO., LTD.	§	
Defendants.	§	
	§	
	§	

**REDACTED
PUBLIC VERSION**

**SUPPLEMENTAL DECLARATION OF HEATH A. BROOKS IN SUPPORT OF
CREE, INC.'S REBUTTAL CLAIM CONSTRUCTION BRIEF**

I, Heath A. Brooks, declare and state as follows:

1. I am an attorney with the law firm of Wilmer, Cutler, Pickering, Hale and Dorr, LLP, counsel to Plaintiff, Cree Inc. ("Cree"). I am admitted *pro hac vice* in this case. I make the following statements in support of Cree, Inc.'s Rebuttal Claim Construction Brief. These statements are based on my personal knowledge and my review of information and documents assembled during the course of litigation.

2. Attached hereto as Exhibit 27 is a true and correct copy of U.S. Patent No. 7,615,789, entitled Vertical Light Emitting Diode Device Structures;

3. Attached hereto as Exhibit 28 is a true and correct copy of U.S. Patent No. 6,410,942, entitled Enhanced Light Extraction Through The Use of Micro-LED Arrays;

4. Attached hereto as Exhibit 29 is a true and correct copy of U.S. Patent Application No. 2008/0035950, entitled Method to Make Low Resistance Contact;

5. Attached hereto as Exhibit 30 is a true and correct copy of certain pages from the '236 file history, numbered CREEDEL-0000158-59;

6. Attached hereto as Exhibit 31 is a true and correct copy of I. Schnitzer et al., *30% External Quantum Efficiency from Surface Textured, Thin-Film Light-Emitting Diodes*, APPL. PHYS. LETT. 63(16) (1993);
7. Attached hereto as Exhibit 32 is a true and correct copy of certain pages from *Physics of Semiconductor Devices*, 3rd Edition, Sze and Ng (2006);
8. Attached hereto as Exhibit 33 is a true and correct copy of certain pages from *VLSI Technology*, 2nd Edition, Sze (1988);
9. Attached hereto as Exhibit 34 is a true and correct copy of certain pages from *The Physics of Semiconductors, An Introduction Including Devices and Nanophysics*, Grundmann (2006);
10. Attached hereto as Exhibit 35 is a true and correct copy of certain pages from *Semiconductor Integrated Circuit Processing Technology*, Runyan & Bean (1994);
11. Attached hereto as Exhibit 36 is a true and correct copy of certain pages from *Lectures on Solar Physics*, Antia et al., (2003);
12. Attached hereto as Exhibit 37 is a true and correct copy of certain pages from *Physics for Scientists and Engineers*, Lerner (1997);
13. Attached hereto as Exhibit 38 is a true and correct copy of certain pages from *Elements of Electricity*, Millikan and Bishop (1917);
14. Attached hereto as Exhibit 39 is a true and correct copy of certain pages from *Electricity, Magnetism, and Light*, Saslow (2002); and
15. Attached hereto as Exhibit 40 is a true and correct copy of certain pages from the rough transcript of the August 25, 2011 deposition of Alexei A. Erchuk, Ph.D.

I declare under the penalty of perjury that the foregoing is true and correct. Executed on
August 26, 2011

By:



Heath A. Brooks

CERTIFICATE OF SERVICE

I hereby certify that on August 26, 2011, I caused to be served by electronic mail copies of the foregoing document and electronically filed the same with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the following:

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